IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.40 OF 2007

Mr.G.D.Agarwal ...Applicant.
V/s.
The State of Maharashtra ...Respondent.

Shri Ganesh Gole, adv. for the Applicant.
Smt.M.M.Deshmukh, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 18th January, 2007.

P.C.:

1. Heard Mr.Gole, the learned counsel for the applicant and the learned APP, Mrs.Deshmukh for the State.

2. The Non Bailable Warrant has been issued against the present applicant by the learned Metropolitan Magistrate, XIVth Court, Egnore, Chennai in Criminal Case No.313 of 2001. Due to failure of the applicant to appear in that Court, the non bailable warrant was issued. According to the applicant, because of poor health, he was required to visit number of doctors and hospitals and, therefore, he could not appear before that Court. Now he intends to appear before the said Court on 24th January, 2007. By this application he seeks stay or cancellation of the non bailable warrant issued by the concerned Metropolitan

Magistrate.

3. As the competent Court at Chennai has issued non bailable warrant in pending criminal case, it would not be desirable to cancel the warrant. However, in view of given circumstances and undertaking given by the applicant that he will appear before the concerned Magistrate on 24th January, 2007, limited relief of granting stay to the execution of the non bailable warrant till then may be granted and this application may be disposed off.

4. Execution of non bailable warrant issued by the learned Metropolitan Magistrate, 14th Court, Egnore , Chennai in Criminal Case No.313 of 2001 against the present applicant is hereby stayed till 25th January, 2007. The applicant shall appear before the concerned Court on 24th January, 2007. The applicant shall inform Cuffe Parade Police Station about this order.

5. Application stands disposed off with the aforesaid directions.

6. Parties to act on an authenticated copy of this order.

(J.H.Bhatia,J.)